

REMARKS

Claims 1-5 were examined. Claims 3-5 are cancelled. Claims 6-8 are added. Claims 1-2 and 6-8 remain in the application. Applicant respectfully notes that claims 6-8 do not introduce new matter as they are fully supported by paragraphs 24 and 25 of the Applicant's specification as filed.

Claims Rejected Under 35 U.S.C. § 112

Claims 3-5 stand rejected under 35 U.S.C. § 112, second paragraph as being incomplete for omitting essential structural cooperative relationships of elements. Claims 3-5 are cancelled rendering the rejection moot.

Claims Rejected Under 35 U.S.C. § 102

Claims 1-2 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Watanabe et al, U.S. Patent No. 5,835,337 ("Watanabe"). Applicant respectfully disagrees with this rejection.

Watanabe discloses a stacked capacitor formed on an insulation film 25 with contact plug 39, where the contact plug 39 is coupled to a second diffusion layer 32 that is adjacent to a semiconductor substrate 33. See Fig. 3B; col. 7, lines 29-52. Furthermore, Watanabe discloses an electrode 42 and an underlying film 41 combined to form the lower electrode of the capacitor wherein the underlying film 41 is adjacent to the second diffusion layer 32. See. Fig. 10; col 10, lines 55-64.

Independent Claim 1 recites alternating layers of dissimilar dielectric materials defining vertical on a circuit substrate, defining a via to a contact point on the circuit substrate, at least one sidewall of the via having a corrugated profile and a capacitor formed on at least one sidewall of the via and coupled to the contact point, the capacitor comprising a profile corresponding to the corrugated profile of the at least one sidewall.

Claim 1 is not anticipated by Watanabe because the underlying film 41 in Watanabe is not coupled to the contact point on the circuit substrate. Rather, the underlying film 41 is coupled to the second diffusion layer 32.

According to the Patent Office, the Watanabe reference number 108, 109 and 110 teaches the alternating layers of dissimilar dielectric materials claimed in claim 1. Applicant respectfully disagrees with this assertion. In Watanabe, reference 108 refers to an interlayer insulation film, reference 109 refers to an etching stopper, and reference 110 refers to a spacer film. All these three layers are different and therefore, they do not construe alternating layers.

Claim 2 depends from claim 1 and therefore contains all the limitations of that claim. For at least the reasons stated with respect to claim 1, claim 2 is not anticipated by Watanabe.

Accordingly, Applicant respectfully requests the Patent Office withdraw the rejection to Claims 1 and 2.

CONCLUSION

In view of the forgoing, it is believed that all claims now pending are in condition for allowance and such action is earnestly solicited at the earliest possible date. If there are any additional fees due in connection with the filing of this response, please charge those fees to our Deposit Account No. 02-2666. Questions regarding this matter should be directed to the undersigned at (310) 207-3800.

Date: January 6, 2006

Respectfully submitted,

BLAKELY, SOKOLOFF, TAYLOR & ZAFMAN LLP

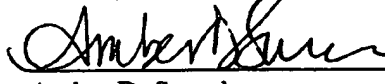


William Thomas Babbitt, Reg. No. 39,591

12400 Wilshire Boulevard
Seventh Floor
Los Angeles, California 90025
Telephone (310) 207-3800
Facsimile (310) 820-5988

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Amber D. Saunders

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Date